

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANKLIN J. LICONA-RIVERA,

Defendant.

Case No. MJ20-589-MLP

DETENTION ORDER

Offenses charged:

Count 1: Distribution of Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1),
(b)(1)(A) and 18 U.S.C. § 2

Date of Detention Hearing: On September 21, 2020, the Court held a hearing via a WebEx videoconference due to the exigent circumstances as outlined in General Order 13-20. Defendant consented to appear telephonically. This order is without prejudice to Defendant moving to reopening his detention hearing.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and

1 based upon the reasons for detention hereafter set forth, finds:

2 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 3 1. There is a rebuttable presumption of detention pursuant to 18 U.S.C. § 3142(e).
- 4 2. Defendant stipulated to detention.
- 5 3. Defendant poses a risk of nonappearance due to his criminal history, lack of
- 6 immigration status in the United States, possession of a Honduran passport, and
- 7 lack of a viable release plan. Defendant poses a risk of danger due to the nature and
- 8 circumstances of the alleged offenses, and also poses a risk to his girlfriend,
- 9 Gricelda Melissa Minnick, based on the active Renton Municipal Court No Contact
- 10 Order prohibiting Defendant from contacting Ms. Minnick. Based on these
- 11 findings, and for the reasons stated on the record, there does not appear to be any
- 12 condition or combination of conditions that will reasonably assure Defendant's
- 13 appearance at future court hearings while addressing the danger to other persons or
- 14 the community.
- 15 4. Taken as a whole, the record does not effectively rebut the presumption that no
- 16 condition or combination of conditions will reasonably assure the appearance of the
- 17 Defendant as required and the safety of the community.

18 IT IS THEREFORE ORDERED:

- 19 (1) Defendant shall be detained pending trial, and committed to the custody of the
- 20 Attorney General for confinement in a correction facility separate, to the extent
- 21 practicable, from persons awaiting or serving sentences or being held in custody
- 22 pending appeal;
- 23

- 1 (2) Defendant shall be afforded reasonable opportunity for private consultation with
2 counsel;
- 3 (3) On order of a court of the United States or on request of an attorney for the
4 government, the person in charge of the corrections facility in which Defendant is
5 confined shall deliver the defendant to a United States Marshal for the purpose of
6 an appearance in connection with a court proceeding; and
- 7 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
8 counsel for the Defendant, to the United States Marshal, and to the United States
9 Pretrial Services Officer.

10 Dated this 22nd day of September, 2020.

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12 MICHELLE L. PETERSON
13 United States Magistrate Judge
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